

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:23CR87
)	
vs.)	
)	
RANDALL LEE DUNCAN,)	ORDER
)	
Defendant.)	

This matter is before the court on the Unopposed Motion to Continue Trial [40]. Counsel needs additional time to prepare for trial and/or conduct plea negotiations. After review, the court notes that the present motion largely mirrors the past four but finds good for **one more** continuance. Accordingly,

IT IS ORDERED that the Unopposed Motion to Continue Trial [40] is granted, as follows:

1. The jury trial now set for December 4, 2023, is continued to **February 5, 2024**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 5, 2024**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without requesting a hearing before the undersigned magistrate judge.**

DATED: November 28, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge